

December 27, 2016

FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, D.C. 20554

**Re: Notice of *Ex Parte* Presentation
WC Docket No. 11-42**

Dear Ms. Dortch:

On December 22, 2016, undersigned counsel, on behalf of Smith Bagley, Inc. (“SBI”), met with Trent Harkrader, Rashann Duvall, and Allison Jones of the Wireline Competition Bureau. We discussed the Draft National Verifier Plan (“Draft Plan”) that was released for public comment on December 1, 2016.¹

We emphasized the need for the National Verifier to be designed to ensure that consumers in very remote areas, such as the Navajo Nation, are not precluded from participating in the Lifeline program. We explained SBI’s success in enrolling subscribers by holding Lifeline signup events in remote locations on Tribal lands, far from retail stores. Due to the lack of broadband access at those events, sales agents relay the applicant’s information via telephone to employees who are able to perform the NLAD verification functions to enable the application process to proceed. We noted that the Draft Plan appears to require the applicant to interface directly with the National Verifier and the Lifeline Eligibility Database (“LED”) and then present the service provider with the unique application number assigned by the LED.

We stressed the importance of allowing service providers who hold remote field events to similarly relay information to their stores or home offices where the necessary LED queries

¹ *Wireline Competition Bureau Announces Submission of the Draft National Verifier Plan by USAC Pursuant to the Lifeline Modernization Order and Provides Information on Submitting Comments to USAC*, Public Notice, WC Docket No. 11-42, DA 16-1327 (WCB rel. Dec. 1, 2016).

and uploads can be performed. We noted that this is consistent with the Commission's goal of removing the eligibility determination from the service provider's hands, as the National Verifier would still perform any necessary manual document review and the service provider would not be reimbursed if the applicant is found by the National Verifier to be ineligible.

We also described the potential difficulties posed by the Draft Plan's inclusion of an automated verification process for Tribal addresses for purposes of Tribal Lifeline and Link-Up eligibility. We noted that much of the Tribal area SBI serves lacks any postal addressing. Consumers in those areas commonly use descriptive addresses that cannot be geocoded onto a map, and this is the reason USAC established the "Tribal flag" to exempt such addresses from AMS address verification in NLAD. Because of the risk that consumers with nonstandard addresses might be improperly excluded from Tribal Lifeline, we asked that the National Verifier similarly exempt "Tribal flag" addresses from any automated Tribal address verification process.

Should you have any questions, please contact undersigned counsel directly.

Sincerely,



David A. LaFuria
Steven M. Chernoff
Counsel for Smith Bagley, Inc.

cc: Trent Harkrader
Rashann Duvall
Allison Jones